

DECISION MEMORANDUM
Silver Bell Mining GPS Tower Right-Of-Way: AZA 36535
DOI-BLM-AZ-G020-2014-0019-CX

U.S. Department of the Interior
Bureau of Land Management
Ironwood Forest National Monument (IFNM)

Project Description

An unauthorized GPS tower was installed on public lands at least 20 years ago adjacent to the Confidence Peak Communication site within the IFNM. The facility will be authorized under a BLM right-of-way Grant for an area of 70' linear feet by 5 feet for an underground coaxial cable. The underground coaxial cable is buried approximately 6" to 12" deep and is encased in a ¾" PVC electrical conduit, runs to and connects to the existing Tucson Electric communication building to obtain power to their receiver. The tower base is 7" in diameter and extends 5'11" vertically from the ground with a Trimble Zephyr Geodetic 2 GNSS Antenna mounted on top of the base pipe. The antenna is 13.5" in diameter and 3" tall. This facility provides GPS data service to the existing mining operation.

Approval and Decision

Based on a review of the project described in the attached Categorical Exclusion documentation and the Ironwood Forest National Monument (IFNM) staff recommendations, I have determined that the project is in conformance with the IFNM Resource Management Plan (approved 2013) and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed.

Administrative Review or Appeal Opportunities

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the attached Form 1842-1. If an appeal is taken, your notice of appeal must be filed at Tucson Field Office, 3201 E Universal Way, Tucson AZ 85756 within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition (pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) (request) for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the Office of the Solicitor (Department of the Interior, Office of the Field Solicitor, Sandra Day O'Connor U.S. Court House #404, 401 West Washington Street SPC44, Phoenix, AZ 85003-2151) (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

Standards for Obtaining a Stay

1. The relative harm to the parties if the stay is granted or denied,
2. The likelihood of the appellant's success on the merits,
3. The likelihood of immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favors granting the stay.

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| <u>/s/ Viola Hillman</u> | <u>8/14/2014</u> |
| Viola Hillman, Tucson Field Manager | Date |

Attachment: Form 1842-1